

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JACK LY,

Plaintiff,

v.

AMAZON.COM SERVICES LLC,

Defendant.

Case No. 2:23-cv-00323-DAD-JDP (PS)

FINDINGS AND RECOMMENDATIONS

I previously issued an order setting an initial scheduling conference for April 27, 2023, and directing the parties to file status reports by no later than April 13, 2023. ECF No. 3. Defendant timely submitted a status report. ECF No. 5. Plaintiff, however, failed to file his own status report. Accordingly, on April 21, 2023, I continued the scheduling conference to May 18, 2023, and ordered plaintiff to show cause why sanctions should not be imposed for his failure to file a status report. ECF No. 6. I also directed plaintiff to file a status report by May 4, 2023, and warned him that failure to comply with that order could result in a recommendation that this action be dismissed for lack of prosecution and failure to comply with court orders. *Id.*

The deadline has passed, and plaintiff has not filed a status report or otherwise responded to the April 21, 2023 order to show cause. Accordingly, it is hereby ORDERED that the May 18, 2023 initial scheduling conference is vacated.

1 Further, it is RECOMMENDED that:

2 1. This action be dismissed for failure to prosecute and failure to comply with court
3 orders.

4 2. The Clerk of Court be directed to close the case.

5 These findings and recommendations are submitted to the United States District Judge
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
7 after being served with these findings and recommendations, any party may file written
8 objections with the court and serve a copy on all parties. Such a document should be captioned
9 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
10 objections shall be served and filed within fourteen days after service of the objections. The
11 parties are advised that failure to file objections within the specified time may waive the right to
12 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
13 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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15 IT IS SO ORDERED.

16 Dated: May 11, 2023


17 JEREMY D. PETERSON
18 UNITED STATES MAGISTRATE JUDGE

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